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Attorneys for Plaintiff  
Live Oak Banking Company

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

LIVE OAK BANKING COMPANY, a  
North Carolina Corporation,

Plaintiff,

vs.

TRIM TECH DISTRIBUTION LLC, et al.,

Defendants.

Case No. 5:25-CV-02467-EKL

**APPLICATION FOR ENTRY OF  
DEFAULT AS TO DEFENDANT TRIM  
TECH DISTRIBUTION LLC**

Judge: Hon. Eumi K. Lee

1. On March 27, 2025, a copy of the summons and complaint was served on defendant Trim Tech Distribution LLC, a California Limited Liability Company (“Defendant”) by and through Bret Sewell, their agent for service of process.

2. The proof of service of summons on Trim Tech Distribution LLC was filed in this court on April 2, 2025 as docket number 14.

3. Defendant has failed to plead or otherwise defend in this action, and the time to plead or otherwise defend expired on April 17, 2025.

4. Defendant has not appeared in this action, and the time to appear has expired.

5. Defendant is not an infant or incompetent person.

6. It is requested that the Clerk enter the default of the Defendant pursuant to Fed. R. Civ. P. 55(a).

1           7.       I, Bernie Kornberg, declare under penalty of perjury that the foregoing is true and  
2 correct.

3  
4 Dated: June 16, 2025

MILLER NASH LLP

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6 By: /s/ Bernie Kornberg

7 Bernie Kornberg  
8 Attorneys for Plaintiff  
9 Live Oak Banking Company  
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**PROOF OF SERVICE**

I, Bernie Kornberg, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 340 Golden Shore, Suite 450, Long Beach, California 90802.

On June 16, 2025, I electronically filed the attached document:

**PLAINTIFF'S REPLY BRIEF IN SUPPORT OF MOTION TO STRIKE  
AFFIRMATIVE DEFENSES 1-10 OF DEFENDANTS BRET AND CHRISTINE  
SEWELL PURSUANT TO FRCP 12(F)**

with the Clerk of the court using the CM/ECF system which will then send a notification of such filing to the following:

Elizabeth Marie Pappy  
Burke, Williams & Sorensen LLP  
60 South Market Street, Suite 1000  
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Counsel for Bretton Sewell and Christine  
Sewell

Counsel for Mortgage Electronic  
Registration Systems, Inc.

an additional copy has been mailed via first class, postage prepaid to:

Trim Tech Distribution LLC  
c/o Brett Sewell, Agent for Service  
58 Deodora Drive  
Atherton, CA 94027

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 16, 2025, at San Francisco, California.

/s/ Bernie Kornberg

4909-7084-7054.1